

REMARKS

Applicants have amended Claims 1, 4, 5, and 21 and canceled Claim 3 and therefore, upon entry of this amendment, Claims 1, 2, and 4-28 are pending. Applicants respectfully request reconsideration and reexamination of the application.

Claims 3-5, 8-11, 15, and 17-20 were objected to as being dependent upon a rejected base claim, but Examiner indicated that the claims would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims. Applicants have rewritten Claim 1 to include the limitations of objected to Claim 3 and have amended Claims 4 and 5 to depend on Claim 1. Therefore, Applicants respectfully submit that Claim 1 is in proper form for allowance, as indicated by Examiner. Furthermore, Claims 2 and 4-11, which ultimately depend on Claim 1, are also in proper form for allowance. Accordingly, the following remarks regarding distinctions over the prior art do not apply to the just-described claims.

Claims 1, 2, 6, 7, 12, 16, 21, 23, 24, 25, and 26 were rejected under 35 U.S.C. § 102(b) as being anticipated by U.S. Patent No. 6,417,730 to Segallis et al. [herein referred to as "Segallis"]; Claims 1, 7, 12, 14, 21, 25, and 28 were rejected under 35 U.S.C. § 102(b) as being anticipated by U.S. Patent No. 5,917,865 to Kopmeiners et al. [herein referred to as

LAW OFFICES OF
MACPHERSON KWOK
CHEN & HO LLP
2403 Michelson Drive
SUITE 210
Irvine, CA 92612
(949) 752-7040
FAX (949) 752-7049

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"Kopmeiners"]; and Claims 1, 6, 7, 12, 13, 16, 21-23, and 25-27 were rejected under 35 U.S.C. § 102(e) as being anticipated by U.S. Patent No. 6,843,597 to Li et al. [herein referred to as "Li"].

Segallis, Kopmeiners, and Li each discloses an automatic gain control system, but fail to teach or suggest "wherein the processor determines a reference level value for the output signal by providing a calibration signal to the detector and setting the reference level value based on the first signal" as recited in Claim 12, "providing a calibration signal to the monitoring of the power level to calibrate a reference level for the automatic gain control" as recited in Claim 21, or "providing a calibration signal whose signal level is estimated to provide a reference value" as recited in Claim 25. Furthermore, amended Claim 1 is allowable as discussed above.

Therefore, Applicants respectfully submit that Claims 1, 12, 21, and 25 patentably distinguish over Segallis, Kopmeiners, and Li and that corresponding dependent Claims are also distinguishable for at least the same reasons. Therefore, Applicants respectfully request that the rejection under 35 U.S.C. § 102(b) of Claims 1, 2, 6, 7, 12, 16, 21, 23, 24, 25, and 26 be withdrawn; the rejection under 35 U.S.C. § 102(b) of Claims 1, 7, 12, 14, 21, 25, and 28 be withdrawn;

LAW OFFICES OF
MACPHERSON KWOK
CHEN & HEID LLP

2402 Michelson Drive
SUITE 210
Irvine, CA 92612
(949) 752-7040
FAX (949) 752-7049

and the rejection under 35 U.S.C. § 102(e) of Claims 1, 6, 7, 12, 13, 16, 21-23, and 25-27 be withdrawn.

Accordingly, Applicants respectfully submit that Claims 1, 2, and 4-28 are in proper form for allowance. Reconsideration and withdrawal of the rejections are respectfully requested and a timely Notice of Allowance is solicited.

If there are any questions regarding any aspect of the application, please call the undersigned at (949) 752-7040.

Certificate of Transmission

I hereby certify that this correspondence is being facsimile transmitted to the Commissioner for Patents, Fax No. 703-872-9306 on the date stated below.

Tina Kavanagh
Tina Kavanagh

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Respectfully submitted,

Greg J. Michelson

Greg J. Michelson
Attorney for Applicant(s)
Reg. No. 44,940

+

LAW OFFICES OF
MACPHERSON KWOK
CHEN & HED LLP

2402 Michelson Drive
SUITE 310
Irvine, CA 92613
(949) 752-7040
FAX (949) 752-7049